

**UNITED STATES DISTRICT COURT
DISTRICT OF NEVADA**

* * *

UNITED STATES OF AMERICA.

2: 10-cr-0578-PMP-RJJ

Plaintiff,

vs.

LINDA LIVOLSI, aka Linda Grogg,

**ORDER TO CONTINUE TRIAL
AND FINDINGS OF FACT AND
CONCLUSIONS OF LAW**

Defendant.

FINDINGS OF FACT

Based on the pending stipulation of counsel, and good cause appearing therefore, the Court hereby finds that:

1. Counsel for Defendant needs additional time to prepare for trial in this case due to Defendant's medical condition. The Parties also need additional time to continue exploring full resolution of the matter without going to trial.

2. The Defendant and the Government agree to the continuance.

3. Defendant is not in custody and does not object to a continuance of the trial date.

4. Denial of this request for a continuance could result in a miscarriage of justice.

5. The additional time requested by this stipulation is excludable in computing the time within which the trial herein must commence pursuant to the Speedy Trial Act, 18 U.S.C. §§ 3161(h)(7)(A), when considering the factors under 18 U.S.C. §§ 3161(h)(7)(B)(i) and 3161(h)(7)(B)(iv).

CONCLUSIONS OF LAW

1. For all of the above-stated reasons, the ends of justice would best be served by a continuance of the trial date.

2. The additional time requested by this stipulation is excludable in computing the time within which the trial herein must commence pursuant to the Speedy Trial Act, 18 U.S.C. §§3161(h)(7)(A), when considering the factors under 18 U.S.C. §§3161(h)(7)(B)(i) and 3161(h)(7)(B)(iv).

ORDER

IT IS THEREFORE ORDERED that the calendar call presently scheduled for June 21, 2011 at 9:00 a.m. be vacated, continued and reset for August 23, at the hour 10:00 a.m. in Courtroom 7C.

IT IS FURTHER ORDERED that the trial currently scheduled for June 28, 2011 at 9:00 a.m. is vacated, and that Defendant and counsel are advised that they must be present for trial on **August 30**, at the hour of 9:00 a.m., in Courtroom 7C.

DATED: June 16, 2011.

Philip M. Orr

UNITED STATES DISTRICT JUDGE

Submitted by:

~~Matthew T. Dushoff, Esq.~~
~~Nevada Bar No. 004915~~

Michael D. Davidson, Esq.
Nevada Bar No. 000878

Nevada Bar No. 000878
KOLESAR & LEATHAM, CHTP

KOLESAR & LEATHAM, LTD.
400 S. Rampart Blvd. Suite 400

400 S. Rampart Blvd., Suite 100
Las Vegas, Nevada 89145

Las Vegas, Nevada 89149
Telephone: (702) 362-780

Facsimile: (702) 362-9472

E-Mail: mdushoff@klne

mdavidson@klnevada.com

Attorneys for Defendant Linda Livolsi